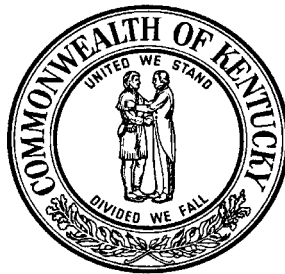


**REPORT OF THE AUDIT OF THE
MERCER COUNTY
CLERK**

**For The Year Ended
December 31, 2004**



**CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS
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CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable John D. Trisler, Mercer County Judge/Executive
The Honorable Ronnie Compton, Mercer County Clerk
Members of the Mercer County Fiscal Court

The enclosed report prepared by Tichenor & Associates, LLP, Certified Public Accountants, presents the statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Mercer County, Kentucky, for the year ended December 31, 2004.

We engaged Tichenor & Associates, LLP to perform the audit of this statement. We worked closely with the firm during our report review process; Tichenor & Associates, LLP evaluated the Mercer County Clerk's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Crit Luallen".

Crit Luallen
Auditor of Public Accounts

Enclosure



EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE MERCER COUNTY CLERK

**For The Year Ended
December 31, 2004**

Tichenor & Associates, LLP has completed the Mercer County Clerk's audit for the year ended December 31, 2004. Based upon the audit work performed, the financial statement presents fairly in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

Financial Condition:

Excess fees were \$75,330 as of December 31, 2004. Revenues were \$3,985,219 and expenditures were \$3,909,889.

Lease Obligations:

Capital lease principal agreements totaled \$166,109 as of December 31, 2004. Future principal and interest payments of \$198,180 are needed to meet these obligations.

Report Comments:

- The Clerk's Office Should Maintain Accurate Records

Deposits:

The Clerk's deposits were insured and collateralized by bank securities or bonds.

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TICHENOR & ASSOCIATES, LLP
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The Honorable John D. Trisler, Mercer County Judge/Executive
Honorable Ronnie Compton, Mercer County Clerk
Members of the Mercer County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Clerk of Mercer County, Kentucky, for the year ended December 31, 2004. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Clerk for the year ended December 31, 2004, in conformity with the regulatory basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated October 17, 2005 on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

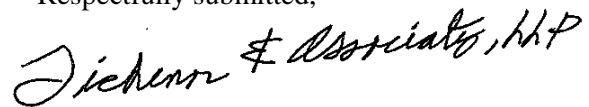
Based on the results of our audit, we have presented the accompanying comments and recommendation, included herein, which discusses the following report comment:

- The Clerk's Office Should Maintain Accurate Records

The Honorable John D. Trisler, Mercer County Judge/Executive
Honorable Ronnie Compton, Mercer County Clerk
Members of the Mercer County Fiscal Court
(Continued)

This report is intended solely for the information and use of the County Clerk and Fiscal Court of Mercer County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink that reads "Tichenor & Associates, LLP". The signature is written in a cursive, flowing style.

Tichenor & Associates, LLP

Audit fieldwork completed -
October 17, 2005

MERCER COUNTY
 RONNIE COMPTON, COUNTY CLERK
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2004

Revenues

State Fees For Services	\$	2,296
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Fiscal Court

Tax Bill Preparation Fee		5,010
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Licenses and Taxes:

Motor Vehicle-

Licenses & Transfers	\$ 542,187	
Usage Tax	1,478,919	
Lien Release Fees	4,379	
Miscellaneous Income	4,111	
Tangible Personal Property Tax	1,563,353	

Other-

Marriage	5,727	
Deed Transfer Tax	76,743	
Delinquent Tax	132,999	
		3,808,418

Fees Collected for Services:

Recordings-

Bail Bonds	63	
Chattel Mortgages & Financing Statements	57,767	
Deeds	15,385	
Leases	48	
Liens & Lis Pendens	3,106	
Power of Attorney	2,105	
Releases	17,529	
Real Estate Mortgage/Fixture Filing	52,119	
Miscellaneous Recordings	9,576	
Wills, Estate Settlements & Accom.	1,200	

Charges for Other Services-

Candidate Filing Fees	570	
Copywork	8,864	
		168,332

Interest Earned		1,163
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Total Revenues	\$	3,985,219
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The accompanying notes are an integral part of this financial statement.

MERCER COUNTY
 RONNIE COMPTON, COUNTY CLERK
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
 For The Year Ended December 31, 2004
 (Continued)

Expenditures

Payments to State:

Motor Vehicle-

Licenses & Transfers	\$	416,685	
Usage Tax		1,433,428	
Tangible Personal Property Tax		558,763	
Licenses, Taxes, and Fees-			
Delinquent Tax		14,387	
Legal Process Tax		19,596	
Candidate Filing Fees		290	\$ 2,443,149

Payments to Fiscal Court:

Tangible Personal Property Tax	102,436	
Delinquent Tax	13,705	
Deed Transfer Tax	72,144	188,285

Payments to Other Districts:

Tangible Personal Property Tax	839,612	
Delinquent Tax	62,645	902,257

Payments to Sheriff 3,883

Payments to County Attorney 20,276

Operating Expenditures & Capital Outlay:

Personnel Services-

Deputies' Salaries 189,544

Contracted Services-

Microfilming & Indexing Records 2,230

Office Equipment 12,038

New Equipment 1,925

Materials and Supplies-

Office Supplies 23,892

Refunds/Returned Checks

Refunds 2,432

Other Charges-

Postage 4,450

Miscellaneous Bank Transactions 136

Miscellaneous Clerk Office Expenses 12,632

Dues & Memberships 2,146 251,425

The accompanying notes are an integral part of this financial statement.

MERCER COUNTY
 RONNIE COMPTON, COUNTY CLERK
 STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
 For The Year Ended December 31, 2004
 (Continued)

Debt Service:	
Lease Purchases	<u>\$ 32,062</u>
Total Expenditures	\$ 3,841,337
Net Revenues	143,882
Less: Statutory Maximum	<u>64,952</u>
Excess Fees	78,930
Less: Expense Allowance	<u>3,600</u>
Excess Fees Due County for 2004	75,330
Payments to Fiscal Court - March 7, 2005	50,000
Payments to Fiscal Court - October 14, 2005	<u>25,330</u>
Balance Due Fiscal Court at Completion of Audit	<u><u>\$ 0</u></u>

The accompanying notes are an integral part of this financial statement.

MERCER COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2004

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Clerk as determined by the audit. KRS 64.152 requires the County Clerk to settle excess fees with the fiscal court by March 15 each year.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting, revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive), at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2004 services
- Reimbursements for 2004 activities
- Payments due other governmental entities for December tax and fee collections and payroll
- Payments due vendors for goods or services provided in 2004

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

MERCER COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 2004
 (Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost-sharing, multiple-employer defined benefit pension plan that covers all eligible full-time employees and provides for retirement, disability, and death benefits to plan members.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 7.34 percent for the first six months and 8.48 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, Kentucky 40601-6124, or by telephone at (502) 564-4646.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2004, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the County Clerk's agent in the County Clerk's name.

Note 4. Leases

The Clerk's office was committed to the following lease agreements as of December 31, 2004:

Item	Monthly	Term Of	Ending	Principal Balance December 31, 2004
Purchased	Payment	Agreement	Date	
4 Copiers	\$ 615	48 Months	February 2008	\$ 22,748
Software/Hardware	\$ 2,811	60 Months	April 2009	\$ 143,361

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COMMENT AND RECOMMENDATION

MERCER COUNTY
RONNIE COMPTON, COUNTY CLERK
COMMENT AND RECOMMENDATION

For The Year Ended December 31, 2004

STATE LAWS AND REGULATIONS:

The Clerk's Office Should Maintain Accurate Records

KRS 43.075 requires the Clerk maintain accurate records in accordance with the Uniform System of Accounts. The quarterly reports and annual settlement did not agree. The Clerk overpaid the Department of Revenue by \$23,400 during calendar year 2004, which was eventually credited to the Clerk in the subsequent calendar year. This was due to poor recordkeeping and not reconciling the cash receipts and cash disbursements ledgers to the bank records and quarterly reports. Several adjustments were made due to errors in ending balances in the annual settlement.

We recommend the cash receipts and the cash disbursements ledgers reconcile to the bank records on a monthly basis. Also, we recommend that the cash receipts and the cash disbursements ledgers agree to the quarterly report and annual settlement.

Clerk's Response: I have new software that most county clerks use. I am a new clerk learning a new system.

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

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The Honorable John D. Trisler, Mercer County Judge/Executive
Honorable Ronnie Compton, Mercer County Clerk
Members of the Mercer County Fiscal Court

Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Mercer County Clerk for the year ended December 31, 2004, and have issued our report thereon dated October 17, 2005. The County Clerk's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Mercer County Clerk internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance And Other Matters

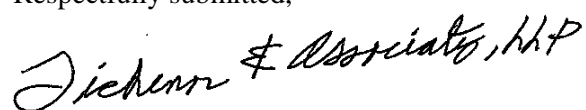
As part of obtaining reasonable assurance about whether the Mercer County Clerk's financial statement for the year ended December 31, 2004, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance or other matter that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation.

- The Clerk's Office Should Maintain Accurate Records

Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and the Kentucky Governor's Office for Local Development and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

A handwritten signature in black ink that reads "Tichenor & Associates, LLP". The signature is written in a cursive, flowing style.

Tichenor & Associates, LLP

Audit fieldwork completed -
October 17, 2005

